

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

| | | |
|--|---|------------------|
| IN THE MATTER OF THE SEIZURE OF |) | |
| |) | |
| A CERTIFICATE OF DEPOSIT IN THE |) | 8:09MJ137 |
| APPROXIMATE AMOUNT OF |) | |
| \$100,270.92, UNDER ACCOUNT |) | |
| NUMBER XXXXXXX826, AT FIRST |) | ORDER |
| NATIONAL BANK OF OMAHA, |) | (SEALED) |
| NEBRASKA. |) | |
| |) | |

This matter is before the court following a hearing on the motion to quash by First National Bank of Omaha (FNBO). FNBO was represented by Todd W. Weidemann and the United States was represented by Assistant United States Attorneys Nancy A. Svoboda and Russell X. Mayer. Upon agreement by the parties,

IT IS ORDERED:

1. The Certificate of Deposit Account (CD) identified as Account Number XXXXXXX826, in the sum of \$100,270.92, and in the possession of FNBO, shall remain in the possession of FNBO until further court order.

2. The CD shall not be dispersed, withdrawn or otherwise removed from the possession of FNBO by the Parties, nor any third-party, including but not limited to, account holder Omaha International Food Mart, LLC (Omaha Food) without an order from the court directing and releasing the proceeds from the CD.

3. FNBO shall file notice in these proceedings within ten business days of the expiration of the Letter of Credit in issue and submit any claim for set off. The United States shall have ten business days to respond.

4. The clerk shall provide a copy of this order to counsel of record.

DATED this 31st day of March, 2010.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge